

AGREEMENT BETWEEN
THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA
AND
MINISTRY OF DEFENSE OF PERU
CONCERNING
HEALTH CARE FOR MILITARY MEMBERS AND THEIR DEPENDENTS

The Department of Defense of the United States of America and the Ministry of Defense of Peru, hereinafter referred to as "the Parties," desire effective cooperation in an exchange of health care;

Whereas, the laws and regulations of the United States provide that inpatient medical care in Department of Defense military medical treatment facilities in the United States may be furnished on a space-available basis without cost to foreign force members and their accompanying dependents in the United States, if comparable care is made available to a comparable number of United States force members and their dependents in the country of the foreign force member;

Whereas the Parties have determined that appropriate conditions exist to assure that comparable care for comparable numbers of persons may be made available by each Party; and

Considering the importance of establishing cooperative actions for the availability of medical care under the principle of reciprocity;

The Parties agree as follows:

ARTICLE I
Objective

This Agreement establishes an understanding between the Parties that reciprocal inpatient medical treatment and other medical treatment may be made available at military treatment facilities for the military members and their dependents of the Armed Forces of the United States of America and the Ministry of Defense of Peru on a space-available basis. Medical care that may be provided at the military medical facilities in the respective territory of each Party shall be without charge.

ARTICLE II

Definitions

1. Dependents: The term "dependents" is defined as follows:
 - a. Spouse: A person who, based on the laws and military regulations of the military member's country, is considered to be the lawful wife or husband of the military member.
 - b. Dependent child: A military member's child who depends on the military member for support, and who has not attained the age of 21, or if enrolled in a full-time course of study at an institution of higher learning, the age of 23.
2. Subsistence surcharge: A charge for meals consumed in the military treatment facilities of the Parties.

ARTICLE III

Scope

This Agreement applies to military members, and their dependents, of the United States of America and Peruvian military members, and their dependents, who are in each other's country at the official invitation of the receiving Government, or who are in each other's country as crew of a visiting military aircraft or military vessel that lands at each other's airfields or visits each other's ports on official military business.

In addition to the dependents of the Peruvian military members covered in the preceding paragraph, the accompanying dependents of a military student in the International Military Student (IMS) Program shall be covered (understanding that the IMS Program covers the students).

No more than six Peruvian officers and their dependents assigned to the Inter-American Defense Board and the Inter-American Defense College are covered by this Agreement. The senior defense military attaché will select those eligible for care.

Requirements for identification and proof of eligibility by persons requesting health care under this Agreement shall be as prescribed by the Party furnishing the care.

ARTICLE IV

Representatives

In the implementation and administration of this Agreement, the Representative of the Department of Defense of the United States shall be the Assistant Secretary of Defense for Health Affairs, and the Representative of the Ministry of Defense of Peru shall be the Defense and Military Attaché to the Embassy of Peru in United States of America.

ARTICLE V

Medical Attention Available

1. The Department of Defense of the United States may make available in its military treatment facilities in the United States of America:

a. for Peruvian military members covered by this agreement, outpatient and inpatient care in Department of Defense medical and dental treatment facilities, without charge (except for a subsistence surcharge, if applicable). Medications available at the military treatment facilities are available without charge.

b. for dependents accompanying those military members:

i. outpatient and inpatient medical care in Department of Defense medical treatment facilities, without charge (except for a subsistence surcharge, if applicable); and

ii. dental care in Department of Defense medical and dental facilities, without charge, to the same extent that such care may be made available in military medical treatment facilities within the United States to dependents of United States military members.

2. If care is provided pursuant to paragraph 1 of this Article, Peruvian military members and their dependents receiving care in a Department of Defense military medical treatment facility shall receive a copy of the medical records regarding the care provided and any follow-on treatment plan for their personal medical records.

3. The Ministry of Defense of Peru may make available in their military medical treatment facilities in Peru:

a. for United States military members covered by this Agreement, outpatient and inpatient care in Ministry of Defense medical and dental treatment facilities, without charge (except for a subsistence surcharge, if applicable). Medications available at the military treatment facilities are available without charge.

- b. for dependents accompanying those military members:
 - i. outpatient and inpatient medical care in Ministry of Defense military medical treatment facilities, without charge (except for a subsistence surcharge, if applicable); and
 - ii. dental care in Ministry of Defense medical and dental treatment facilities, without charge, to the same extent that such care is made available in military medical treatment facilities within the Ministry of Defense of Peru to dependents of Peruvian military members.
4. If care is provided pursuant to paragraph 3 of this Article, United States military members and their dependents receiving care in a Ministry of Defense military medical treatment facility shall receive a copy of the medical records regarding the care provided and any follow-on treatment plan for their personal medical records.

ARTICLE VI

Expenses

Each party shall pay the expenses resulting from treatment it provides pursuant to this Agreement, in accordance with its applicable laws and regulations, and subject to the availability of funds appropriated for these purposes.

ARTICLE VII

Dispute Resolution

Questions relating to interpretation of the provisions of this Agreement, or implementation of this Agreement, shall be resolved through consultations between the Representatives of the Parties.

Certified to be a true copy

Edwin A. Hurston, Col, USAF, MSC

ARTICLE VIII Final Dispositions

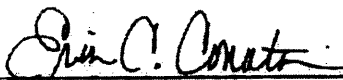
This Agreement shall enter into force on 31 August 2012 and shall remain in force for three years, unless terminated by either Party by giving at least ninety days written notice to the other Party. It may be extended by mutual written agreement of the Parties.

This Agreement may be amended by mutual written agreement of the Parties.

This Agreement is in two originals in the English and Spanish languages, both texts being equally authentic.

For the Department of Defense
of the United States of America

For the Ministry of Defense of Peru



ERIN C. CONATON
Under Secretary of Defense
(Personnel and Readiness)

Date: 21 August 2012



Major General Leonardo LONGA LOPEZ
Defence and Military Attaché
Embassy of Peru in United States of America

Date: 29 August 2012